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PTO/SB/01 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing OR ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 47586-P055US-10025093

First Named Inventor Scot D. Gordon

COMPLETE IF KNOWN

Application Number Not Yet Assigned

Filing Date

Group Art Unit N/A

Examiner Name Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR DYNAMICALLY ADJUSTING CELL SECTORIZATION

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application No. and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

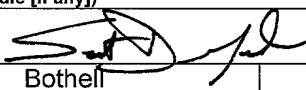
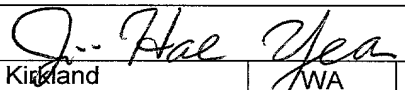
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		<input type="checkbox"/> Customer Number or Bar Code Label				OR		<input checked="" type="checkbox"/> Correspondence address below	
FULBRIGHT & JAWORSKI L.L.P. Name R. Ross Viguet									
Address 2200 Ross Avenue Suite 2800									
City Dallas				State TX		ZIP 75201			
Country US			Telephone (214) 855-8000				Fax (214) 855-8200		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.									
NAME OF SOLE OR FIRST INVENTOR:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any]) Scot D.					Family Name or Surname Gordon				
Inventor's Signature 					Date 8/2/01				
Residence: City Bothell			State WA		Country		Citizenship US		
Mailing Address:		16307 123rd Place NE							
City Bothell			State WA		ZIP 98011		Country		
NAME OF SECOND INVENTOR:					<input type="checkbox"/> A petition has been filed for this unsigned inventor				
Given Name (first and middle [if any]) Ji-Hae					Family Name or Surname Yea				
Inventor's Signature 					Date 8/2/01				
Residence: City Kirkland			State WA		Country		Citizenship Republic of Korea		
Mailing Address:		10915 NE 123 rd Lane Apt. B214							
City Kirkland			State WA		ZIP 98034		Country		
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.									

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	Not Yet Assigned
Filing Date	
First Named Inventor	Scot D. Gordon
Title	SYSTEM AND METHOD FOR DYNAMICALLY ADJUSTING CELL SECTORIZATION
Group Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket No.	47586-P055US-10025093


I hereby appoint:

☐ Practitioners at Customer Number 
OR
☒ Practitioner(s) named below:
Customer Number Bar Code

Name	Registration Number	Name	Registration Number
Jody C. Bishop	44,034	Michael A. Papalas	40,381
Michael J. Fogarty, III	42,541	David H. Tannenbaum	24,745
Leslie S. Garmaise	47,587	William B. Tiffany	41,347
Matthew D. Jones	44,810	R. Ross Viguet	42,203
Jerry Mahurin	34,661		
Thomas J. Meaney	41,990		

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.
OR
☐ Practitioners at Customer Number 
OR
Customer Number Bar Code

☐ Firm or Individual Name Fulbright & Jaworski L.L.P.

Address 2200 Ross Avenue, Suite 2800

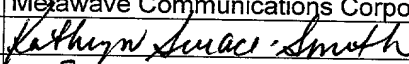
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I am the:

- ☐ Applicant/Inventor.
- ☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Metawave Communications Corporation by Kathryn Surace-Smith, Esq.
Signature	
Date	8-6-01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below*.

☐ *Total of 1 forms are submitted.